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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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| 09/038,894 | 03/11/98 | STOUGHTON | R 24730-2202 |

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HM12/1206

EXAMINER

MELLER, M

| ART UNIT | PAPER NUMBER |
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1651

18

DATE MAILED:

12/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks


Art Unit: 1651

DETAILED ACTION

The amendment filed on 9/25/2000 which changed the elected claims to non-elected subject matter is non-responsive (MPEP § 821.03). The currently pending claims are not readable on the elected invention because they are now drawn to a method of improving treatment outcome or reducing risk of treatment or reducing the risk of developing disorders accompanied by inappropriate cellular activation which was claimed in claims 10-18 (Group II) which is non-elected subject matter.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiries concerning this communication should be directed to Examiner Mike Meller at telephone number (703) 308-4230. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Michael Wityshyn, can be reached at (703) 308-4743. The Fax phone number for the art unit is (703) 308- 0294. Any inquiries of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.


DAVID M. NAFF
PRIMARY EXAMINER
ART UNIT 1651